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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

First named inventor: Stephen L. Pollard

Application No.: 09/388,069

Art Unit: 2800

Filed: 09/01/99

Examiner: Georgia Epps

Title: COMFORT OPTICS VISOR

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APR 10 2003

CSO 2800

Attention: Office of Petitions
Assistant Commissioner for Patents
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The above-identified application became abandoned for failure to file a timely and proper reply to a
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actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☒ Small entity-fee \$ 650.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☐ Other than small entity - fee \$ _____ (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in

the form of Document (identify type of reply):

☒ has been filed previously on 9/1/99
is enclosed herewith.

B. The issue fee of \$ 460.00

☒ has been paid previously on 9/1/99 and 12/3/99

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650.00 DP

[Page 1 of 2]

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3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

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4/4/03
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Number: (949) 661-1988

Stephen LeRoy Pollard
Signature

(LeRoy)

Stephen L. Pollard
Typed or printed name

27703-14 Ortega Hwy.

Address

San Juan Capistrano, Ca. 92675

Enclosures: ☒ Fee Payment

☐ Reply

☐ Terminal Disclaimer Form

☐ Additional sheets containing statements establishing unintentional delay

☐ Other: Corrected Forms

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THANK YOU AGAIN FOR ALL YOUR HELP.

MARIAN POLLARD, FOR STEPHEN LEROY POLLARD

Marian Pollard

ENCLS: APRIL 8, 2003 RE:09/388,069

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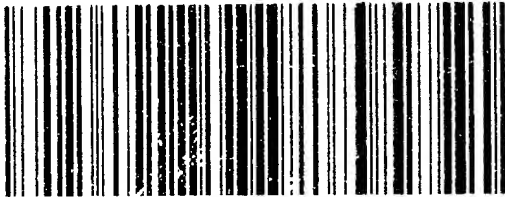
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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
09/388,069	09/01/99	2873	\$445.00		5	1	1

STEPHEN LEROY POLLARD
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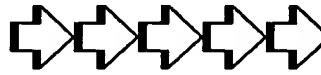


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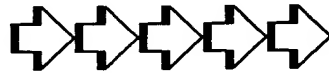


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TEAM: 04 DATE: 12/03/99



(See reverse for new important information)

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TITLE OF THE INVENTION
COMFORT OPTICS VISOR

BACKGROUND OF THE INVENTION
FIELD OF THE INVENTION

DESCRIPTION OF THE RELATED ART

THE ONLY RELATED ART IS PATENT NO. 5,920,371. SOME OF THE PIECES OF ART WORK ARE SIMILAR IN THAT BOTH INVENTIONS USE A VISOR TO HOLD THEM ON THE PERSON'S HEAD (THIS VISOR IS NOT THE SUBJECT OF EITHER PATENT AS THERE ARE MANY BRANDS OF VISORS AVAILABLE AND NEITHER THAT INVENTOR OR I AM CLAIMING TO HAVE DEVELOPED THE VISOR. THE PART OF MY DEVICE THAT IS UNIQUE, AND THEREFORE PATENTABLE, IS THE ALIGNMENT DEVICE WHICH IS VERY DIFFERENT FROM THE ALIGNMENT DEVICE SHOWN IN PATENT NO. 5,920,371. MY DEVICE IS DESIGNED TO ALLOW THE PATIENT TO ADJUST THE ALIGNMENT HIM OR HERSELF. WITH NO HELP FROM A CARETAKER OR DOCTOR. THE ALIGNMENT DEVICE SHOWN IN THE PRIOR ART COULD NOT BE ADJUSTED BY THE PATIENT. MY INVENTION FEATURES THE ELONGATED PORTS IN THE VISOR WHICH WORK WITH MY UNIQUE ALIGNMENT FIXTURE, A CLAMP, TO ALLOW THE PATIENT TO ADJUST THE VISION SIMPLY BY APPLYING PRESSURE TO THE EXPANSION LOOP. THE PRIOR ART HAS A VERY DIFFERENT ALIGNMENT FIXTURE AND THIS IS THE KEY TO THE DIFFERENCE IN THE TWO INVENTIONS.

BRIEF SUMMARY OF THE INVENTION

WHEN PRESSURE IS APPLIED TO THE EXPANSION LOOP, THE HEADBAND EXPANDS. THE PRESSURE MAY BE APPLIED BY HAND, A SURGEON'S ARM, OR BY ANOTHER PERSON (A CARETAKER FOR A DISABLED PERSON, E.G.). WHEN THE PRESSURE IS RELEASED, THE HEADBAND CONTRACTS AND THE (2) BANDS ON EITHER SIDE OF THE HEAD ALIGN THE VISOR OPTICALLY THE SAME WAY EVERY TIME. NO FURTHER ADJUSTMENT NEED BE MADE FOR PERFECT OPTICAL ALIGNMENT.

MY APPLICATION FOR A PATENT CONCERNS THE EXPANSION LOOP, WHICH IS TOTALLY NEW. HEADBANDS AND VISORS HAVE BEEN MADE FOR A LONG TIME. MANY BRANDS ALREADY EXIST AND MY INVENTION DOES NOT AFFECT THOSE ALREADY EXISTING PATENTS. I HAVE DEVELOPED A UNIQUE CONCEPT FOR AN EXPANSION LOOP THAT PROVIDES OPTICAL ALIGNMENT EVERY TIME PRESSURE ON IT IS REMOVED AND REPLACED.

BRIEF DESCRIPTION OF SEVERAL VIEWS OF THE DRAWING

THE FOLLOWING DESCRIBES THE DRAWINGS OF MY INVENTION FULLY:

FIGURE 1: THE TOP VIEW OF THE HEADBAND SHOWS AN EXPANSION LOOP (RIGHT ON TOP OF BAND). THE FASTENER THAT ALLOWS THE ADJUSTMENT AND SECURES THE HEADBAND TO THE EXPANSION LOOP. THIS PART IS ADJUSTABLE SO IT WILL FIT THE PATIENT'S REQUIREMENTS.

FIGURE 2: THE FRONT VIEW OF THE HEADBAND SHOWS FOUR ATTACHED BANDS THAT ACHIEVE PERFECT OPTICAL ALIGNMENT. (FASTENERS IN FRONT)

FIGURE 3: THE SIDE VIEW OF THE HEADBAND SHOWS A FASTENER THAT ALLOWS ADJUSTMENT AND SECURES THE VISOR TO THE HEADBAND, THE ATTACHED BANDS, AND THE EXPANSION LOOP.

FIGURE 4: THE FRONT VIEW OF THE VISOR SHOWS THE VISOR'S ELONGATED MOUNTING PORTS TO ACCOMMODATE EITHER FIXED, ADJUSTABLE MECHANICAL OR ELECTRONIC MONOCULARS. THE ELONGATED PARTS ALLOW FOR ADJUSTMENT TO THE PATIENT'S CENTER DISTANCE.

FIGURE 5: THE SIDE VIEW OF THE VISOR SHOWS AN ELONGATED BRACKET IN THE FRONT. THE BRACKET IS ELONGATED TO ALLOW FOR PROPER ADJUSTMENT ALLEVIATION OF ANY CANTILEVER EFFECT FROM HEAVY MONOCULARS. IT MAINTAINS STABILITY.

PAGE TWO.

FIGURE 6: THE FRONT VIEW OF THE ALIGNMENT ADJUSTER SHOWS A FIXTURE THAT IS TEMPORARILY ATTACHED TO THE VISOR, ALLOWING THE PATIENT TO INDEPENDANTLY ADJUST EACH MONOCULAR TO ACHIEVE THE MAXIMUM VISION THE PATIENT CAN OBTAIN. IT IS USED TO ROTATE THE MONOCULAR TO ACHIEVE SUPERIMPOSURE USING ROOF-TOP PRISMATIC MONOCULAR. WHEN ALIGNMENT IS ACHIEVED, THE FIXTURE IS REMOVED.

FIGURE 7: THE FRONT VIEW OF THE ALIGNMENT CLAMP SHOWS A CLAMP THAT IS ATTACHED TO THE MONOCULAR, WHILE BEING HELD IN PLACE BY FIGURE 6, TO MAINTAIN ALIGNMENT. IF PATIENT'S CENTER VISION IS LOST, THE PERIPHERAL VISION CAN BE SUPERIMPOSED OVER THE PRIMARY VISION.

FIGURE 8: THE TOP VIEW OF THE BEVELED ADJUSTER SHOWS A BEVEL THAT CONVERTS A VIEW VISOR INTO A READING VISOR. THE SLINES MAINTAIN THE CORRECT ANGULARITY FOR READING.

FIGURE 9: THE SIDE VIEW OF THE BEVELED ADJUSTER.

THIS IS A UTILITY CLAIM, NOT A DESIGN CLAIM. EVERYTHING HEREIN HAS BEEN REDUCED TO PRACTICE.

DETAILED DESCRIPTION OF THE INVENTION

THE COMFORT OPTICS VISOR IS A NOVEL UNIQUE OPTICAL DEVICE, NEVER OFFERED BEFORE. ITS NOVEL AND UNIQUE FEATURES ARE AS FOLLOWS

1. THE PATIENT IS NOT STRAPPED WITH TUNNEL VISION. THEY HAVE THEIR NORMAL VISION AND GET ASSISTANCE BY ADDITIONAL POWER OPTICS. ALL THEY HAVE TO DO IS TIP THEIR HEAD 15 DEGREES AND THEY HAVE THE BEST OPTICAL ASSISTANCE THEIR BODY POSSESSES.
2. TO REMOVE AND REPLACE THE COMFORT OPTICS VISOR AND ACHIEVE PERFECT VISION EVERY TIME. ALL THE PATIENT HAS TO DO IS APPLY PRESSURE TO THE EXPANSION LOOP ON THE HEADBAND. WHEN PRESSURE IS REMOVED, THE VISOR IS IN PERFECT ALIGNMENT. WHEN A SURGEON NEEDS ADDITIONAL OPTICAL ASSISTANCE, HE CAN ALIGN THE VISOR WITH HIS ARM AND DOES NOT HAVE TO WORRY ABOUT CONTAMINATION.
3. THE ELONGATED PORTS IN THE VISOR, WITH THE AID OF THE ALIGNMENT FIXTURE, ALLOWS THE PATIENT TO ACHIEVE PERFECT OPTICAL BALANCE AND DOES NOT HAVE TO ACCEPT WHAT SOMEONE GUESSES IS CORRECT FOR THE PATIENT.
4. THE COMFORT OPTICS VISOR IS THE ONLY OPTICAL DEVICE OFFERED WHERE THE PATIENT DOES ALL THE SELECTION, ADJUSTMENT AND ALIGNMENT. NOBODY CAN DO IT BETTER THAN THE PATIENT.
5. THE COMFORT OPTICS VISOR IS FITTED WITH VARIOUS POWER MONOCULARS. THEY ARE EXTRA CLOSE FOCUS, TO INFINITY, WITH ROOF-TOP PRISMS. IF THE PATIENT HAS NO PRIMARY VISION, ONLY PERIPHERAL VISION, NO MATTER HOW NARROW THE THRESHOLD OF SIGHT MAY BE. THE PERSON CAN LOCATE THIS THRESHOLD AND PRISMATICALLY TAKE THE PREFERENTIAL VISION, AND SUPERIMPOSE THIS VISION TO PRIMARY VISION. NO OTHER DEVICE CAN DO THIS IN A MANNER THAT IS ACHIEVED BY THE PATIENT HIMSELF/HERSELF.
6. THE COMFORT OPTICS VISOR IS THE ONLY DEVICE THAT ALLOWS THE PATIENT TO ADJUST THE PUPIL TO PRIMARY OPTIC. THIS IS VERY CRITICAL FOR SOME PATIENTS. WITHOUT THIS FEATURE SOME PATIENTS WOULD NEVER BE ABLE TO SEE.


STEPHEN L. POLLARD 27703-14 ORTEGA HWY. SAN JUAN CAPISTRANO, CA. TELEPHONE 949 661-1988

DETAIL DESCRIPTION OF THE DRAWING

FIGURES 1, 2, AND 3 ARE THE SIDE VIEWS OF THE HEADBAND. IN THESE FIGURES (1) IS THE HEAD, (2) THE FASTENER, AND (3) ARE THE TWO TABS ON THE SIDE OF THE VISOR. FIGURES 4 AND 5 ARE THE FRONT AND SIDE VIEWS OF THE VISOR. THESE FIGURES COMPRISE THE ELONGATED ADJUSTING PORTS (4) AND THE ELONGATED BRACKET (5). FIGURES 6 AND 7 ARE THE FRONT VIEWS OF THE ALIGNMENT ADJUSTER. THESE FIGURES COMPRISE AN ADJUSTMENT BAR TOOL (9) AND ROTATING CLAMPS (6) AND (6A) FIGURES 8 AND 9 ARE THE TOP AND SIDE VIEWS OF THE BEVELED ADJUSTER, WHERE (8) IS A LENS.

THE COMFORT OPTICS VISOR IS WORN WITH A VERTICAL SUPPORT BAND RUNNING OVER THE TOP OF THE HEAD (1). A SUPPORTING BAND AROUND THE HEAD INCORPORATES THE ELONGATED BRACKETS (5) AND THE FASTENER (2), WHICH FIX THE VISOR IN PLACE. THE VISOR MOVES AT A FULCRUM OVER EACH EAR. TWO TABS ON EACH SIDE (3) NEAR THE FULCRUM LOCK THE POSITION OF THE VISOR SO THAT THE SAME FIT CAN BE ACHIEVED EACH TIME THE VISOR IS WORN. THE OPTICS MOUNT TO THE FRONT OF THE VISOR IN ELONGATED ADJUSTING PORTS (4). TWO TOOLS ARE USED TO ALIGN THE VISOR AND THE OPTICS (6&7). WHEN THE VISOR IS COVERTED FOR READING TWO PLASTIC WEDGES ARE PLACED AT EACH MONOCULAR TO CONVERGE THE LENSES (8).

CLAIMS

WHAT IS CLAIMED IS:

1. THE COMFORT OPTICS VISOR COMPRISING A VERTICAL SUPPORT BAND RUNNING OVER THE TOP OF THE HEAD WITH ADJUSTABLE LOOPS, WHEN PRESSURE IS APPLIED TO THE BAND, THE BAND WILL EXPAND AND WHEN PRESSURE IS REMOVED FROM THE BAND, THE BAND WILL RETURN TO ITS ORIGINAL POSITION.
2. THE COMFORT OPTICS VISOR OF CLAIM 1, WHEREIN A FASTENER SECURES THE VISOR POSITION TO THE VERTICAL SUPPORT BAND AND MAINTAINS THE OPTICAL ALIGNMENT.
3. THE COMFORT OPTICS VISOR OF CLAIM 2, WHEREIN FOUR TABS, TWO EACH SIDE - FRONT AND BACK OF EACH FULCRUM, ARE MOUNTED ON EITHER SIDE OF THE VERTICAL SUPPORT BAND, THE TABS ACT AS STOPS SO THAT WHEN THE ADJUSTMENT OF THE LOOP IS EXECUTED, THE VISOR MAINTAINS THE SAME FIT AND POSITION EACH IT IS REMOVED AND REPLACED.
4. THE COMFORT OPTICS VISOR OF CLAIM 3, WHEREIN ELONGATED ADJUSTING PORTS ARE USED TO ACHIEVE CORRECT VERTICAL ALIGNMENT.
5. THE COMFORT OPTICS VISOR OF CLAIM 4, WHEREIN AN ELONGATED BRACKET SECURES THE VISOR TO THE HEADBAND, WHICH ALLOWS THE VISOR TO BE ADJUSTED TO THE PATIENT'S SETTINGS.
6. THE COMFORT OPTICS VISOR OF CLAIM 5, WHEREIN AN ADJUSTING BAR TOOL IS PLACED TEMPORARILY ON THE VISOR BY THE TECHNICIAN SO THAT THE MONOCULARS CAN BE MOVED HORIZONTALLY WITHIN THE ELONGATED PORTS, TO ESTABLISH THE CORRECT VERTICAL POSITION OF EACH MONOCULAR.
7. THE COMFORT OPTICS VISOR OF CLAIM 6, WHEREIN THE ADJUSTING BAR TOOL IS A ROTATING CLAMP USED BY THE TECHNICIAN SO THAT EACH MONOCULAR CAN BE ADJUSTED FOR HORIZONTAL ALIGNMENT.
8. THE COMFORT OPTICS VISOR OF CLAIM 7, WHEREIN THE VISOR IS CONVERTED FROM A VIEWING VISOR TO A READING VISOR BY USING FOUR ALIGNING WEDGES, AN ALIGNING WEDGE IS USED AT BOTH SIDES OF EACH MONOCULAR TO OBTAIN READING VISION BY ALLOWING THE MONOCULARS TO CONVERGE.

COMFORT OPTICS VISOR

ABSTRACT OF THE DISCLOSURE

THE COMFORT OPTICS VISOR WAS DESIGNED FOR PEOPLE WHO SUFFER FROM IMPAIRED VISION. BOTH PRIMARY AND ONLY PERIPHERAL VISION CAN BE HELPED. WHEN THE COMFORT OPTICS VISOR IS EQUIPPED WITH 2X TO 10X POWER MONOCULARS, WITH EXTRA CLOSE FOCUS AND ROOF TOP PRISMS. THE PATIENT HAS ASSISTED VISION WITHOUT BEING STRAPPED WITH TUNNEL VISION. BY TIPPING THE HEAD APPROXIMATELY 15 DEGREES THEY ARE ALIGNED. PATIENT IS ASSISTED BY THE OPTICAL ASSISTANT, WHO INSTRUCTS THE PATIENT IN THE SELECTION OF THE PROPER MONOCULARS. HE ALSO INSTRUCTS THE PATIENT IN ALIGNMENT AND ADJUSTMENTS. THE OPTICAL TECHNICIAN, WHILE FITTING THE SELF-ALIGNING HEADBAND AND VISOR, INSTALLS THE MONOCULAR TEMPORARY HARDWARE. WHEN THE ALIGNMENT AND ADJUSTMENTS ARE COMPLETED, THE TECHNICIAN SECURES THE MONOCULARS PERMANENTLY, AND REMOVES THE TEMPORARY HARDWARE. THE PATIENT ONLY HAS TO FOCUS THE MONOCULARS TO THE DEPTH THEY WISH TO VIEW.

66T000-65033E00

Figure 1

Top View of Headband

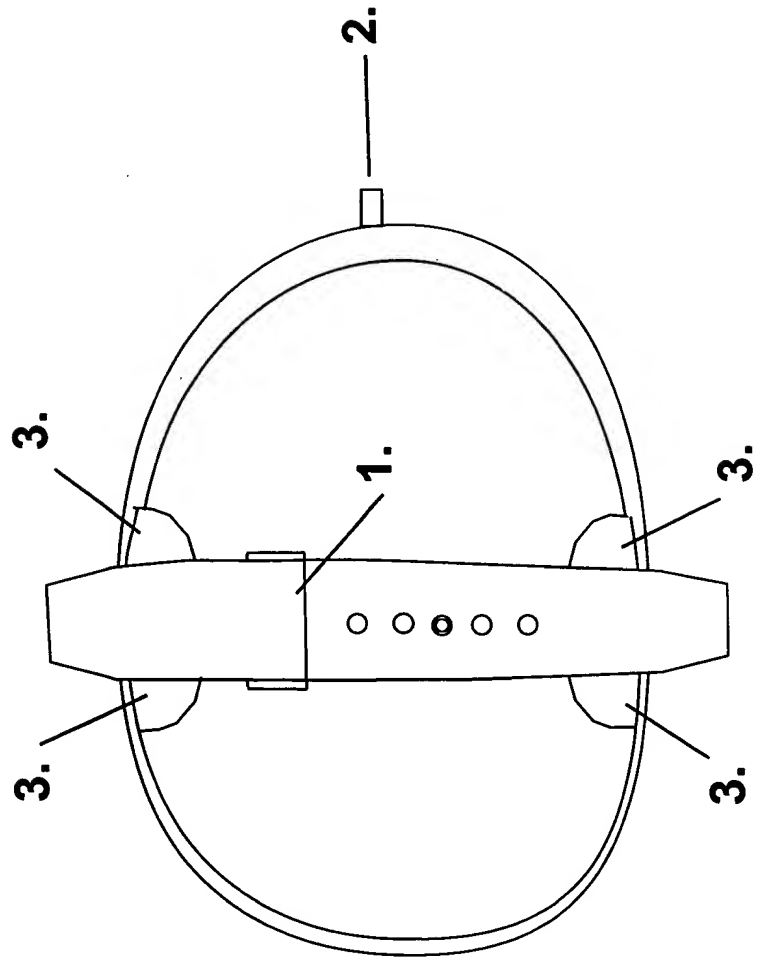


Figure 2

Front View of Headband

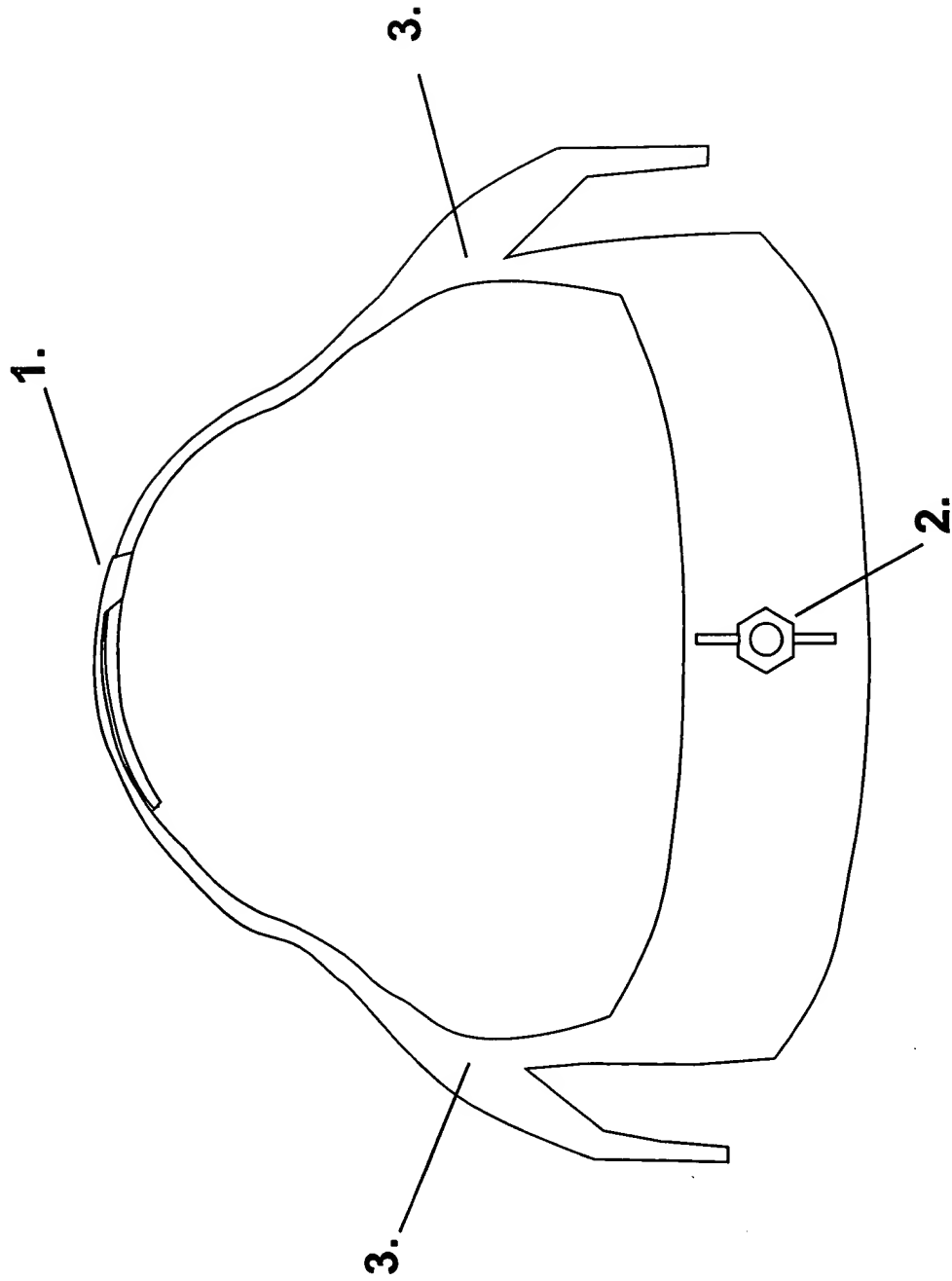


Figure 3

Side View of Headband

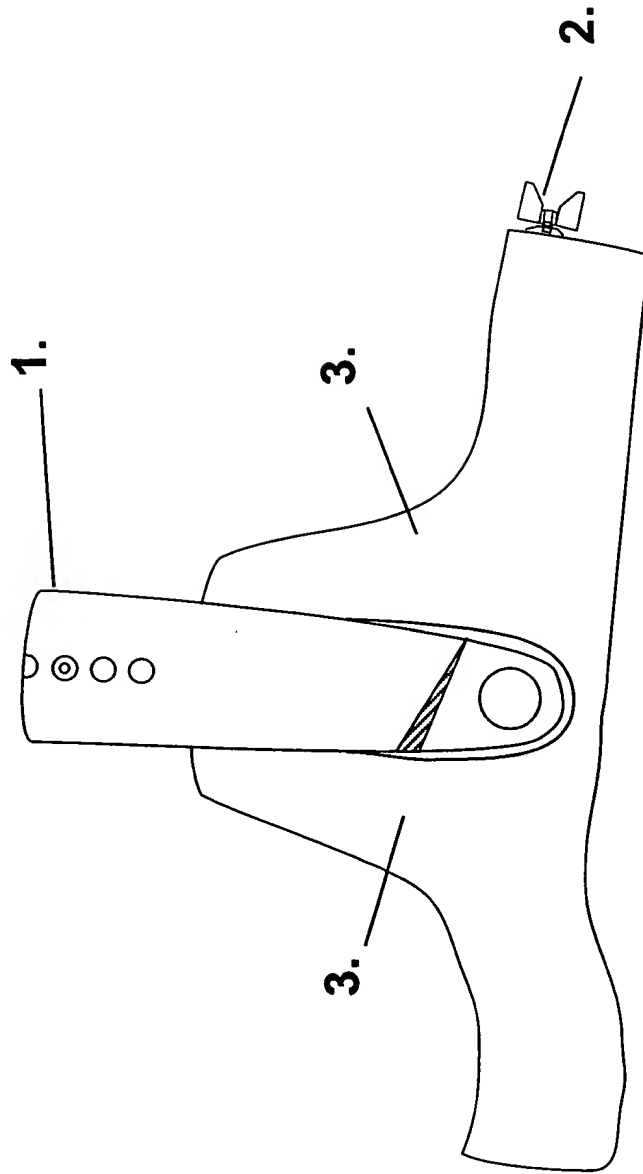
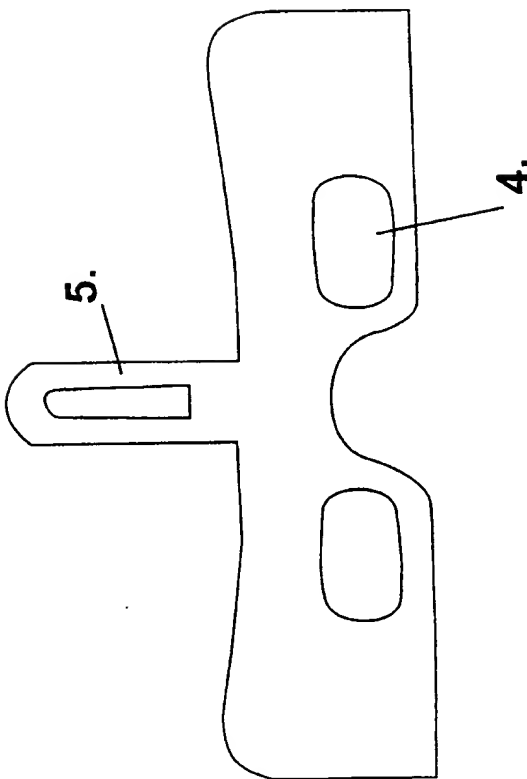


Figure 4

Front View of Visor



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Figure 5

Side View of Visor

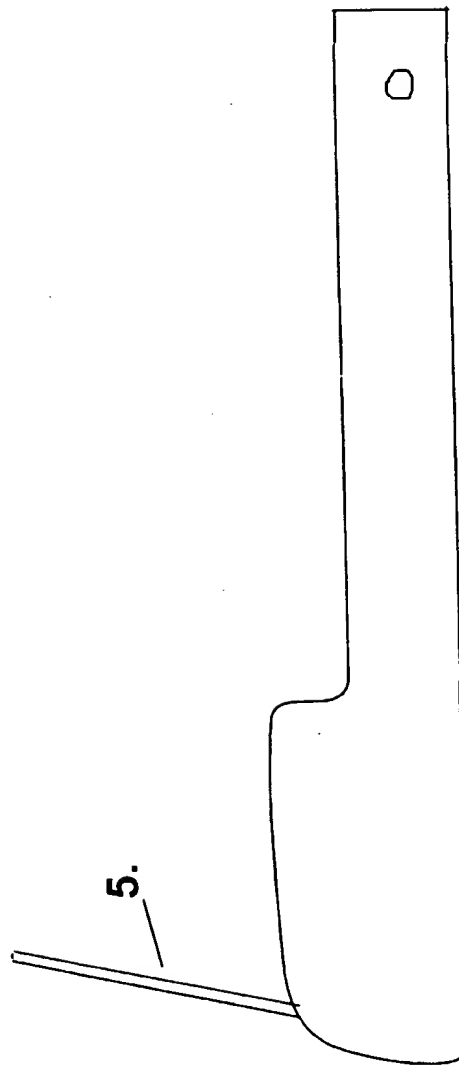


Figure 6
Front View of Alignment Adjuster

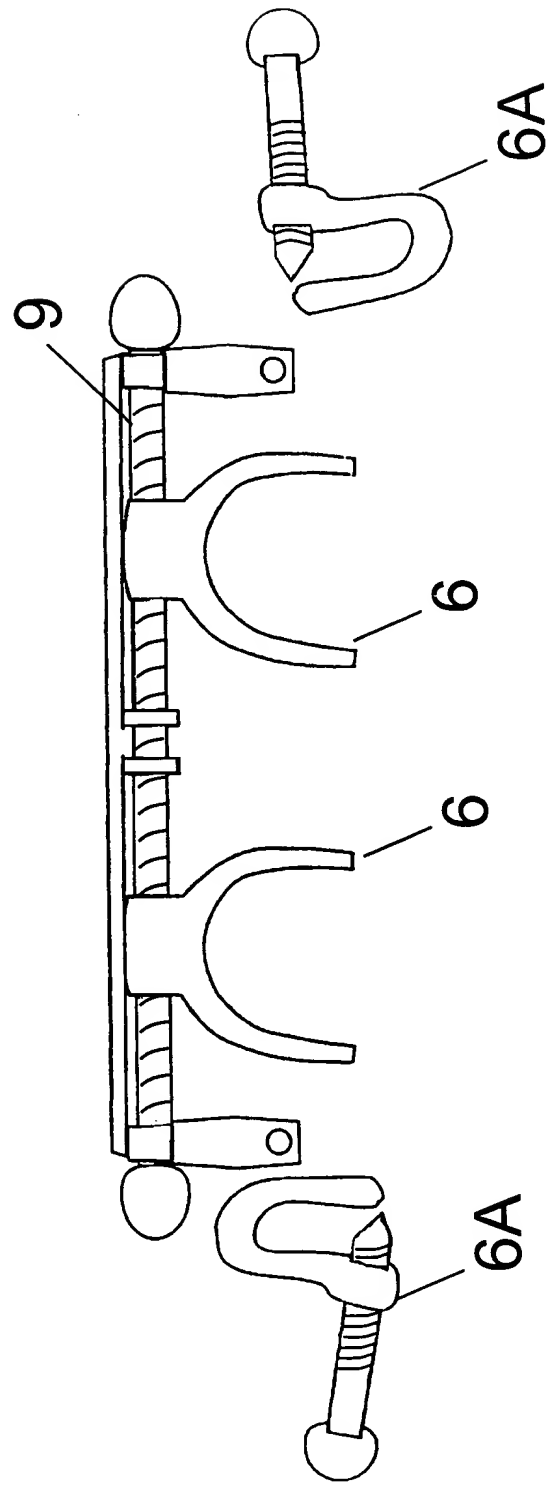
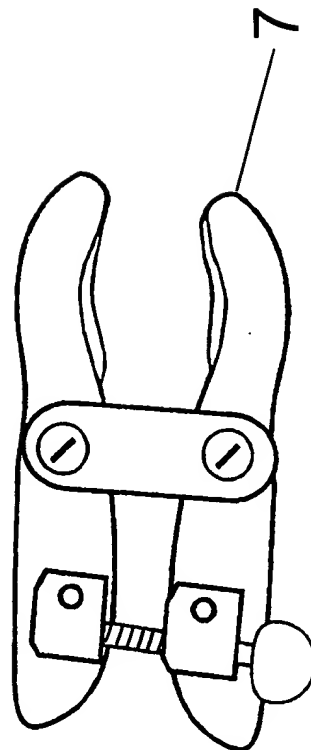


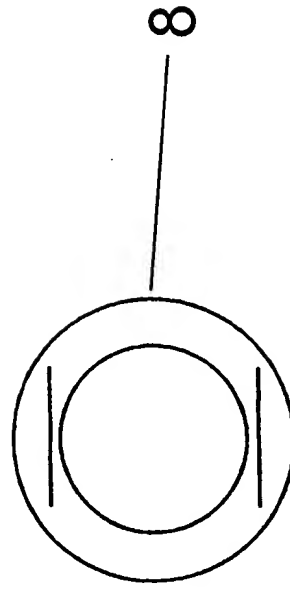
Figure 7
Front View of Alignment Clamp



A4

Figure 8

Top View of Beveled Adjuster



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Figure 9

Side View of Beveled Adjuster

